

EXCERPTS FROM THE DEPOSITION OF
EGON DURBAN
TAKEN SEPTEMBER 7, 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TESLA, INC.)
SECURITIES LITIGATION) Case No. 3:18-cv-04865-EMC
Volume I
Pages 1 to 165

REMOTE VIDEOCONFERENCED VIDEOTAPED DEPOSITION OF
EGON PIERRE-DURBAN
Remotely in Los Angeles, California
Tuesday, September 7, 2021

Reported by:
ELIZABETH BORRELLI, CSR No. 7844, CCRR, CLR
JOB NO. 199146

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Remote Videoconferenced Videotaped
Deposition of EGON PIERRE-DURBAN, Volume I,
taken on behalf of the Plaintiffs, remotely in
Los Angeles, California, commencing at
10:31 a.m., Tuesday, September 7, 2021, before
Elizabeth Borrelli, a Certified Shorthand
Reporter in the State of California, License
No. 7844.

* * *

1 APPEARANCES OF COUNSEL:

2
3 For the Plaintiffs:

4 LEVI & KORSINSKY
5 BY: NICHOLAS PORRITT, ESQ.
6 ELIZABETH TRIPODI, ESQ.
7 KATHY AMES VALDIVIESO, ESQ.
8 1101 30th Street NW
9 Washington, DC 20007

10
11 For Tesla:

12 COOLEY
13 BY: SARAH LIGHTDALE, ESQ.
14 55 Hudson Yards
15 New York, New York 10001

16
17 For the Witness:

18 DEBEVOISE & PLIMPTON
19 BY: JULIE RIEWE, ESQ.
20 BRANDON FETZER, ESQ.
21 801 Pennsylvania Avenue N.W.
22 Washington, DC 20004

23
24 Also Present:

25 KAREN KING, appearing remotely

SHARON BINGER, appearing remotely

1 LOS ANGELES, CALIFORNIA; TUESDAY, SEPTEMBER 7, 2021

2 10:31 A.M.

3
4 THE VIDEOGRAPHER: Good morning. My name
5 is Chris Jordan and I'm the legal videographer in
6 association with TSG Reporting. Due to the COVID-19
7 and following the practice of social distancing, I
8 will not be in the same room with the witness;
9 instead, I will record this videotaped deposition
10 remotely.

11 The reporter, Ms. Borrelli, also will not
12 be in the same room and will swear the witness
13 remotely.

14 Do all parties stipulate to the validity
15 of this video recording and remote swearing and that
16 it will be admissible in the courtroom as if it had
17 been taken following Rule 30 of the Federal Rules of
18 Civil Procedures and the state's rules where this
19 case is pending?

20 MR. PORRITT: Yes.

21 MS. RIEWE: Yes.

22 MS. LIGHTDALE: Yes.

23 MS. KING: Yes.

24 THE VIDEOGRAPHER: Thank you, Counsel.

25 Thank you.

1 This marks the beginning of the videotaped
2 deposition of Egon Durban being taken In Re: Tesla,
3 Inc., Securities Litigation, being held in the
4 United States District Court for the Northern
5 District of California, San Francisco Division.

6 The deposition is being taken on
7 September 7, 2021, at approximately 10:32 a.m.
8 Again, my name is Chris Jordan with TSG Reporting.
9 The court reporter is Liz Borrelli with TSG
10 Reporting.

11 Will counsel please state your name for
12 the record.

13 MR. PORRITT: Nicholas Porritt on behalf
14 of Plaintiff Glen Littleton and the class. With me
15 is Elizabeth Tripodi and Kathy Ames for the firm
16 Levi & Korsinsky LLP.

17 MS. RIEWE: And Julie Riewe. With me is
18 Brandon Fetzer with Debevoise & Plimpton, counsel
19 for the deponent, Mr. Egon Durban.

20 MS. LIGHTDALE: Sarah Lightdale from
21 Cooley on behalf of the defendants.

22 And I have two preliminary matters to
23 cover as we have covered in other depositions in
24 this case. The first is to confirm that as with --
25 again, as with other depositions, we will reserve

1 purely evidentiary objections until a later time and
2 only offer form objections. And the second is to go
3 ahead and put this transcript and designate it as
4 confidential under the protective order.

5 MR. PORRITT: And once again, noting your
6 statement, reserving rights, obviously, on that --
7 on the designation.

8 THE VIDEOGRAPHER: Has all counsel stated
9 their name and appearance?

10 MS. KING: This is Karen King, counsel for
11 Silver Lake, the defendant's [sic] employer.

12 MS. BINGER: And Sharon Binger as well for
13 Silver Lake.

14 THE VIDEOGRAPHER: Thank you.
15 Will the reporter please swear in the
16 witness.

17 EGON PIERRE-DURBAN,
18 having been duly administered
19 an oath in accordance with CCP 2094,
20 was examined and testified as follows:

21 EXAMINATION
22 BY MR. PORRITT:

23 Q. Good morning, Mr. Durban. As I stated
24 before, my name is Nicholas Porritt. I'm one of the
25 attorneys for the plaintiff in this matter.

DEPOSITION TESTIMONY
FILED UNDER SEAL

ERRATA
FILED UNDER SEAL

1 STATE OF CALIFORNIA)
2 COUNTY OF LOS ANGELES) ss.
3

4 I, Elizabeth Borrelli, Certified Shorthand
5 Reporter, Certificate No. 7844, for the State of
6 California, hereby certify:

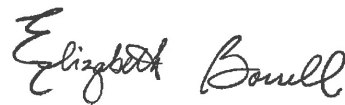
7 I am the deposition officer that
8 stenographically recorded the testimony in the
9 foregoing deposition;

10 Prior to being examined the deponent was
11 first duly sworn by me;

12 The foregoing transcript is a true record
13 of the testimony given;

14 Before completion of the deposition,
15 review of the transcript [X] was [] was not
16 requested. If requested, any changes made by the
17 deponent (and provided to the reporter) during the
18 period allowed are appended hereto.

19
20 Dated: September 17th, 2021.

21
22 

23 ELIZABETH BORRELLI, CSR 7844
24
25